

UPDATED INFORMATIVE DIGEST

Inter-County Transfer (ICT) procedures were established in Welfare and Institutions Code Sections 11053 and 11102, and are regulated under MPP Sections 40-187 through 40-197. ICT statutes and regulations were established to ensure continuous services and cash aid to California Work Opportunity and Responsibility to Kids (CalWORKs) recipients when they move from one county to another. Although current ICT regulations provide guidance relative to the ICT process, they lack specificity in the area of timeframes, eligibility determination, and client informing. As a result, ICT procedures are inconsistently applied which could cause disruptions in aid and services to CalWORKs recipients. In addition, Some CalWORKs clients could be inappropriately discontinued from aid because their eligibility was redetermined in the new county based on criteria used for new applicants rather than continuing recipients.

The proposed regulations will specify timeframes counties must follow to ensure that necessary documentation and the responsibility for the provision of benefits is transferred on a timely basis. They will also specify appropriate eligibility criteria to ensure that continuing CalWORKs recipients are not erroneously discontinued from aid. Additionally, they will require the receiving county to initiate contact with the recipient to provide assistance with establishing aid in the new county of residence. These regulations are necessary to minimize the disruption of services for CalWORKs recipients. Also, throughout these proposed regulations, the acronym "AFDC" is being repealed and the acronym "CalWORKs" is being adopted to comply with the provisions of Assembly Bill 1542 (Chapter 270, Statutes of 1997), which enacted the CalWORKs program that replaced the Aid to Families with Dependent Children (AFDC) program.

Language has also been added requiring that a copy of the signed Maximum Family Grant Informing Notice (CW 2102) from the recipient's case file be sent by the first county to the second county. This is to comply with the Nickols v. Saenz court order.

The civil rights policy statement regarding non-discrimination in the CalWORKs program has been amended to ensure that all civil rights laws are followed in the administration of the CalWORKs program including compliance by contractors and subcontractors. In addition, reference to the program name "AFDC" has been changed to "CalWORKs" as appropriate.

POST HEARING CHANGES

These regulations were noticed during CDSS' public hearings held on January 15 and 16, 2002. Written comments were received from Mr. Kevin Aslanian, representing the California Coalition of Welfare Rights Organizations. In response to Mr. Aslanian's written comments the following changes have been made to the proposed regulations:

Section 40-188.21 – This section is being amended to clearly state that counties are precluded from discontinuing or suspending aid based on a recipient's failure to keep their first appointment during the transfer period.

Section 40-188.22 - This section is being amended to clearly specify the following criteria: 1) eligibility must be determined based on continuing recipient criteria, 2) County Welfare Departments are required to follow the provisions of Section 40-126.3 when processing an Inter-County Transfer, and 3) the redetermination of continuing eligibility must be completed by the end of the transfer period as specified in Section 40-187.12.